

BOARD MEMBERS

Robert E. Thomas

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Council District 6

Anthony Sherman

Council District 7



JAMES W. RIBBRON

Director

City of Detroit
Board of Zoning Appeals
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In accordance with Section 5(4) of the Michigan Open Meetings Act, MCL 15.265(4), The Board of Zoning Appeals will hold its meetings by **ZOOM** you can either call in or join by web. We encourage the public to use one of the following:

The Telephone Numbers Are:

(312) 626-6799 or (929) 436-2866, Meeting ID: 83992865544

If You Are Joining By Web The Link Is:

<https://cityofdetroit.zoom.us/j/571081730?pwd=c1UvYUtwVlBUNmhlaitZbVdrTGk5dz09>,

Meeting ID: 571 081 730 and meet ID: 376542

If you need additional information regarding this meeting, our director James Ribbron can be reached at (313) 939-1405.

MINUTES OF THE BOARD OF ZONING APPEALS

A public hearing of the Board of Zoning Appeals was held on Tuesday **March 30, 2021** by way of Zoom.

Vice-Chairperson of the Board Walker called the meeting to order and Director Ribbron called the roll at 9:00 a.m.

BOARD MEMBERS PRESENT:

- (1) Robert E. Thomas, Board Member
- (2) Elois Moore, Board Member
- (3) Debra T. Walker, Board Member
- (4) Robert G. Weed, Board Member
- (5) Anthony Sherman, Board Member
- (6) Michelle L. West, Board Member
- (7) Vivian Teague, Board Member

BOARD MEMBERS ABSENT:

MINUTES:

Board Member Teague made a motion to approve the minutes for March 23, 2021 with any corrections.

Affirmative: Mr. Weed, Thomas, Sherman
Ms. Moore, Walker, West, Teague
Negative: None

PROCEDURAL MATTERS:

- (A) A motion was made, seconded and carried that the Director of the Board read into the record the notices, reports, letters, or any other information pro or con, on each individual case, and be filed and made a part of the record in each case.
- (B) A motion was made, seconded and carried that the appearance slips, be filled out by property owners or parties of interest who appeared at the public hearing, be filed in the individual case file and be made a part of the record in each case.
- (C) A motion was made, seconded, and carried that the recorded transcript of the proceedings of the various hearings, furnished by **BZA Staff**, be made part of the **MINUTES**.

9:15 a.m. CASE NO.: 05-21

APPLICANT: James A. Bondy

LOCATION: 4001 W. McNichols between Livernois and Fairfiled in to the north of the subject site, across McNichols Rd., there are commercial, residential and institutional structures zoned R1 and R2. The campus extends south to Puritan where there are commercial uses zoned B2, multi-family structures zoned PD, Institutional uses zoned B2, commercial uses zoned B2 and B4. East across Fairfield St. are single-family homes zoned R2. To the west, across Livernois Ave., there are commercial structures and vacant land zoned B2 and B4- City Council District #2

LEGAL DESCRIPTION OF PROPERTY: S W MC NICHOLS RD W 1434.26 FT OF N 1644.47FT EXC E 20 FT OF N 120 FT OF N W 1/4 SEC 15, T 1 S R 11 E EXC LIVERNOIS AVE AS WD 12/-- 55.17 ACRES

PROPOSAL: James A. Bondy/The University of Detroit Mercy requests dimensional variances to renovate and add an addition to the existing University of Detroit Student Union. The petitioner is proposing a deficient amount of transparent doors and windows on the second floor of a building visible from the Traditional Main Street. Granting a variance of this design standard is beyond the scope of administrative adjustments that can be provided by Buildings and Safety Engineering (BSEED). The current legal use is an Educational Institution-The University of Detroit Mercy. The existing building is located within a R6 (High Density Residential) zoning district. The existing building is located within the Livernois/ McNichols P&DD Project Planning Area in an R1 - Single-Family Residential District., R2 - Two-Family Residential District., B2 - Local Business and Residential District., PD - Planned Development District., B4 - General Business District. The Board of Zoning Appeals shall be authorized to hear dimensional variance requests for matters that are beyond the scope of Buildings and Safety Engineering Department ten percent (10%) administrative adjustments; Sec. 50-14-436 (c)(2)- Building design standards-Façade and architectural details Per the Zoning Ordinance, for all buildings facing the Traditional Main Street (Livernois Ave), a minimum of 40 percent of the upper level façade along a Traditional Main Street shall consist of openings for windows or window wall systems Per the site plan, 22% of the proposed façade is transparent windows on the upper level facade. (Sections 50-4-131(1&6) Permitted Dimensional Variances, and 50-4-121 Approval Criteria.) AP

ACTION OF THE BOARD: Mr. Walker made a motion to Waive TMSO Standards of window transparency to renovate and add an addition to the existing University of Detroit Student Union Seconded by Ms. Moore

Affirmative: Mr. Weed, Sherman, Thomas
Ms. Moore, Walker, West, Teague

Negative:

TMSO STANDARDS WAIVED

10:15 a.m. **CASE NO.:** BSEED SLU2020-00137

APPLICANT: Jacqueline Grant

LOCATION: 13266 E. Outer Dr. between Mack and Rosewood in a R1 (Single-Family Residential District -City Council District #4

LEGAL DESCRIPTION OF PROPERTY: W WYOMING 283 ASSESSORS DETROIT PLAT NO 20 L74 P28 PLATS, W C R 16/469 15,464 SQ FT

PROPOSAL: Jacqueline Grant appeals the decision of the Buildings Safety Engineering and Environmental Department (BSEED Case No.: SLU2020-00137 effective date of decision February 18, 2021) which (Approved with Conditions) to Establish a Group Day Care Home in an existing single-family dwelling in a R1 (Single-Family Residential District). Appeals to the Board of Zoning Appeals may be taken by any person, firm, partnership or corporation, or by any City department, commission, board or other City agency which is aggrieved 1) by a decision of an enforcing officer, or 2) by any decision made by the Buildings and Safety Engineering Department involving Conditional Uses; Michigan courts have held that in order to meet the “aggrieved person” standard, the appellant must prove that he or she (or it, if the appellant is an organization) has suffered special damages related to the beneficial use and enjoyment of his/her own property that are not common to other property owners similarly situated. The party filing the appeal must be more than a mere resident of the City; he or she must be able to show harm or damages that are unique to him or her, and to his/her property, specifically. (Sections 50-4-102 Appeals, Michigan Case Law on “Aggrieved Person” Standard and 50-3-281 General Approval Criteria (Community Appeals.)

ACTION OF THE BOARD: Ms. West made a motion to Adjourn this case at petitioners request for more time to talk to BSEED Petitioner. Seconded by Ms. Moore

Affirmative: Mr. Weed
Ms. Walker, Moore, West, Teague

Negative:

AJOURNED WITHOUT DATE AND WITHOUT FEE

There being no further business to be transacted, Board Member Teague motioned that the meeting be adjourned. Board Member Moore seconded this motion which was unanimously carried and the meeting adjourned at 10:25 A.M.

RESPECTFULLY SUBMITTED

A handwritten signature in black ink, appearing to be 'JWR', written in a cursive style.

JAMES W. RIBBRON
DIRECTOR

JWR/atp